

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 1332 OF 2014
IN
ARBITRATION CASE NO. ARB/ACB/17/2011**

Abhuadaya Co. Op. Bank Ltd.Disputants
v/s.
M/s. Daya Builders and Ors. Opponents

Ms. Fleur D'Souza i/b Asahi Legal, Advocate for Disputant.
Ms. Apurva Jaiswar i/b. K. C. Pandey, Advocate for Opponents.

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 19th January, 2026

FOR REMOVAL U/R. 498 OF H.C.O.S. RULES :

- Sr. no.2
1. Heard Advocate appearing on behalf of Disputant as well as Advocate for Opponents.
 2. By an order dated 15th December, 2025, the office was directed to issue notice to the Disputants and their Advocates under Rule 498 of the High Court (Original Side) Rules, 1980, by Registered Post Acknowledgment Due (RPAD), by e-mail, and to also communicate the same telephonically to ensure due compliance.
 3. Thereafter, the matter appeared on board under the caption for removal on 6th January, 2026.

On the said date, the Advocate for the proposed Disputant submitted that the Hon'ble Court had already allowed the Interim Application for amendment and that she would take steps to submit the duly amended Warrant for Sale, as the earlier Advocate had already collected the Warrant for Sale for its amendment. By the said order, the Advocate was directed to file the Warrant for Sale on or before the next adjourned date and to take further steps, with the condition that the matter would be removed from the board without further reference.

4. In-spite of the time granted for taking steps by the Disputnat and the matter being adjourned from time to time, the Disputnat failed to take steps in furtherance of the order dated 8th July, 2025. In view thereof, I am inclined to grant a further date in the matter.

5. The Ld. Advocate for the Disputant submits that proceedings have already been filed before the DRT and seeks adjournment of the matter to enable them to take necessary steps in accordance with the directions issued by this Forum. At the request of the Ld. Advocate for the Disputant, and as a last chance and final opportunity, the matter is adjourned to 27th January, 2026. It is made explicitly clear that no further adjournment shall be

granted on any ground whatsoever. The Ld. Advocate is directed to file the Warrant for Sale and take all consequential steps on or before the next date of hearing. In the event of failure to comply with the above directions, the matter shall stand removed from the board without any further reference to this Court.

6. As a last chance, stand over to 27th January, 2026.

19.01.2026

Commissioner for Taking Accounts